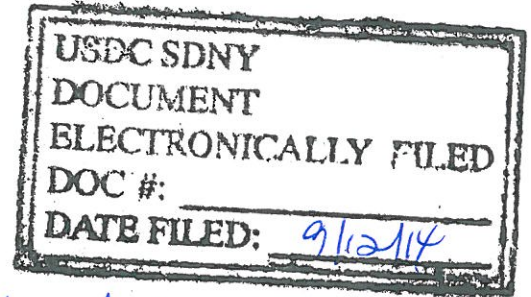


SEP 12 2014

September 5, 2014



The Honorable Sidney Stein
U.S. District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, N.Y., 10007

In the matter of: Clark vs. Astrue
Case No: 06-CIV. 15521 (SHS)

CLASS MEMBER REQUEST FOR INJUNCTIVE RELIEF

Comes now, Calvin Murry, a class member in the above entitled class action lawsuit, and REQUESTS that this Honorable Court grant INJUNCTIVE RELIEF for the following reasons:

1. The Social Security Administration continues to punish and penalize me, in violation of this court's Order.
2. The Social Security Administration has, since 2008 and continuing, refused to allow me a hearing or an appeal of these abusive, threatening practices and fines, in violation of this court's Order.
3. The Social Security Administration, since 2008 and continuing, has verbally and physically assaulted me, as well as many other "class members" for simply asking WHY Social Security Administration continues to fine and penalize me, in violation of this court's Order.
4. All attempts to seek aid and advice from the attorneys of record goes unanswered. Also, attempts to obtain either private or legal aid assistance is met with a firm "no".
5. This Honorable Court retains OPEN JURISDICTION to honor my request for Injunctive Relief.

(2)

STATEMENT OF THE CASE

On December, 2008, I was the victim of a false sting operation run by the Social Security Administration. I, along with dozens of other disable people, were accused of having warrants. All attempts to clear up the matter were ignored. I was refused a hearing and I was told that I now owed \$40,000.

After four (4) years of being verbally and physically abused each time I asked for a hearing, I sent by certified, registered mail (see attachment "A"), my REQUEST FOR AN ADMINISTRATIVE HEARING. (see attachment "B").

My REQUEST FOR AN ADMINISTRATIVE HEARING was returned to me in an unsigned business envelope. Inside was a large audit booklet with an unsigned post-it note (see attached original page and post-it note; attachment "C").

Several days later, in 2012, I received a letter from Social Security Administration detailing how I was still being penalized and forced to pay out of my SSI check at least 10 percent on a balance of 37,000 thousand dollars--in violation of this courts Order. (see attachment "D").

Finally, in April, 2013, I was told by Social Security letter (see attachment "E") to come to the office, in Memphis, Tennessee. When I spoke to the Social Security representative, I asked why I was still being punished and fined \$40,000, and once again I was loudly berated and told that I had to pay. The representative's name is Ernest Knight, at the Monroe Ave Social Security Office, in Memphis, Tennessee. The representative was so verbally abusive that he actually called me back to the office a few days later and apologized for his angry verbal outburst.

Since 2008, I have sought a hearing or an appeal and I have been ignored by the Social Security Administration, which flagrantly continues to breach it obligations as set forth in this court's Order, and they continue to violate the rights of the disabled.

(3)

CONTINUING JURISDICTION OF CLARK VS. ASTRUE

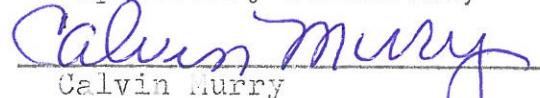
Sec. 7.1: "The Court will retain jurisdiction of this matter for the purpose of: (A) enforcing the provisions of this Order in the event that one of the parties claim that there has been a breach of this Order"...

In this instance, the Social Security Administration has clearly breached its duty by continuing to violate the rights of the disabled by threats, verbal abuse, physical assaults. And by continuing to force disable people such as myself, to continue to pay thousands, tens of thousands of dollars that this court has ruled as unlawful and unconstitutional.

CONCLUSION

Therefore, I, Calvin Murry, a legitimate "class member", PRAY that this Court will enjoin the Social Security Administration from denying class members hearings and/or appeals, to ENJOIN them from continuing to force class members to pay unlawful and unconstitutional fines.

Respectfully submitted,



Calvin Murry
400 S, Highland St., #418-E
Memphis, TN 38111
(901) 320-7907

LIST OF ATTACHMENTS

- A(1): Registered mail receipt showing Social Security did receive my REQUEST FOR AN ADMINISTRATIVE HEARING, dated Feb. 3, 2012.
- A(2): Back of registered mail receipt showing signature of an S.S.A. representative.
- B: Actual copy of my REQUEST FOR AN ADMINISTRATIVE HEARING.
- C: Actual first page, with actual unsigned post-it note, of the audit booklet sent to me in an unsigned envelope.

ADDITIONAL ATTACHMENTS

These additional attachments reveal that I have been getting threatened, audited, physically assaulted by Social Security representatives since 2008, and continuing. I have been denied a hearing or an appeal since 2008.

- #1: Letter dated 12/22/08 terminating my benefits based on an unlawful act by Social Security, as determined by this court.
- #2: Letter dated 5/19/09 denying my economic recovery payment.
- #3: Letter dated 11/27/11 showing the continued penalties and fines levied against me, in violation of this court's Order.
- #4: Letter dated 5/14/13 sent to me several days after Mr. Ernest Knight verbally and loudly berated me for asking why I was still being fined and punished, in violation of this court's Order. This letter was Mr. Knight's attempt to apologize for his mistreatment of me.

ATTACHMENT # A.1
(FRONT)

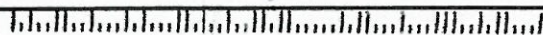
UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

CALVIN MURRY
9918 KERCHEVAL
DETROIT, MI 48214



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> <i>Theresa Kouba</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p><i>Social Security Admin.</i> <i>60 EAST GRAND BLVD</i> <i>HIGHLAND PARK, MI</i> <i>48203</i></p>		<p>B. Received by (Printed Name) <i>THERESA KOUBA</i></p> <p>C. Date of Delivery <i>2/5/04</i></p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>7009 3410 0002 0772 1733</p>			

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

ATTACHMENT # A.2
 (BACK)

Attachment #8

Jan. 1, 2012

CALVIN MURRY
9918 Kercheval
Detroit, Mich, 48214

Claim NO #409-80-9503DI

SOCIAL SECURITY ADMINISTRATION
60 East Grand Ave.
Highland Park, Mich. 48203

REQUEST FOR ADMINISTRATIVE HEARING

The Petitioner, Calvin Murry, #409-80-9503, requests a hearing before an Administrative Tribunal for the following reasons:

1. False and erroneous information concerning a "fugitive warrant" was used and in being used to unfairly punish and penalize the Petitioner,
2. Petitioner was denied his right to appeal or offer proof in dispute of said information by social security representatives, and
3. a denial of said appeal and review is unconstitutional and deprives Petitioner of due process, and the right to face his accusers, and offer proof in dispute.

Respectfully submitted,



Calvin Murry
409-80-9503
9918 Kercheval
Detroit, Mich. 48214

STATEMENT OF THE FACTS

1. On December, 2008, this Petitioner, Calvin Murry, S.S.N. #409-80-9503, received a letter purportedly from the Social Security Administration. The letter stated that the Petitioner must come down to the Federal Building, on Lafayette Blvd., in the City of Detroit, County of Wayne, State of Michigan. The letter threatened termination of Petitioner's benefits, if he did not comply.
2. On the date specified on the "letter", Petitioner found himself in a long line of dozens of Social Security recipients. Some were in wheelchairs. Some were on walking canes. A few carried small children with them. All were clutching the same "letter" purportedly from the Social Security Administration.
3. Petitioner had with him a satchel full of requested documents, as were other Social Security recipients, who turned out to be S.S.I. disabled recipients moreso than social security recipients.
4. Petitioner, like those before him, was met by a group of supposed law enforcement officers, later identified as Tri-County Fugitive Task Force members. Petitioner was promptly arressted, and seated among other arressted S.S.I. disabled recipients.

5. Like the other S.S.I. recipients, Petitioner's documents

STATEMENT OF THE FACTS, cont.

(2)

6. Petitioner responded that he was not and had never been a wanted felon. Upon noticing that the Petitioner was seriously ill, convulsing, unable to speak clearly, unable to walk, the officers then quickly buttoned Petitioner's clothing, put his coat on for him, and quickly, quietly, half-carried the petitioner to the back door, and told to go home -- and not to say anything to the dozens of S.S.I. recipients waiting in line to be detained and imprisoned. Petitioner was also told to go and get "that warrant straightened out."
7. Petitioner knew nothing of a warrant, was not told who or where the warrant emanated. Petitioner was on Lifetime Probation, out of Oakland County, City of Pontiac, State of Michigan. But Petitioner was in full compliance with all the regulations and rules subscribed to him. Neither the sentencing court nor Petitioner's probation officer knew nothing of a warrant.
8. Lifetime Probation had been ruled unconstitutional and all Lifetime Probationers had been released from probation. Including Petitioner. However, Petitioner was battling multiple fatal diseases and was in a neurosurgical hospital undergoing spinal surgery and could not at that time go to the Oakland County Circuit Court for his signed Order of dismissal of probation. Petitioner was lying paralyzed in a hospital in Tennessee.

STATEMENT OF THE FACTS., cont. (3)

9. Several days later, after being secretly huddled out the back door of the Federal Building, on Christmas Eve., Petitioner received a letter of termination of benefits from the Social Security Administration. Petitioner, realizing he could not pay rent, suffered another heart attack and was admitted to Henry Ford Hospital for treatment. Petitioner was diagnosed with heart failure. Petitioner asked against doctors' orders to be discharged. He was now dying and homeless.
10. With his body still covered with monitor tabs for his heart, Petitioner staggered down to the Social Security Office, On Grand St., City of Highland Park, County of Wayne, State of Michigan, and met with a social security representative. He informed the representative that he was not and never had been a wanted felon. Petitioner attempted to offer proof, in the form of his probation officer, as well as other documents, and was told that Social Security was not accepting any appeals.
11. Petitioner asked how he could be terminated based on false and erroneous statements about a non-existent "warrant". And why he could not offer evidence in dispute of those statements. The representative simply repeated that Petitioner could file all the appeals he wanted, but that they were not going anywhere.
12. Petitioner then produced his termination letter and pointed to the section that stated he, the S.S.I. recipient had the right to an appeal.

STATEMENT OF THE FACTS., cont.

(4)

13. Upon departure from the Highland Park Office, Petitioner stopped to talk to several other S.S.I. Recipients who had received phony social security letters, had been arrested and charged with some offense, and promptly terminated from S.S.I. benefits. None of these recipients were allowed to file a complaint or appeal.
14. Petitioner then went to the Social Security Office in Hamtramck, Michigan, County of Wayne, State of Michigan, and presented his hospital discharge slip and informed the representative that he was not a fleeing felon, knew nothing of a "warrant", and that his probation officer could vouch for his good standing. The representative stated that petitioner could not file a complaint, appeal, or review request. The decision was final.
15. When Petitioner responded that he was being made homeless based on a "lie", without being given opportunity to contest that lie, the representative then got on the phone and actually called who the Petitioner believed to be either Tri-County Fugitive Task force, or the F.B.I., in whose building the unlawful arrest and imprisonment of disabled S.S.I. recipients took place. The representative would nodd occasionally and roll her eyes at the Petitioner. Then she hung up and told the Petitioner he could file all the appeals he wanted but Social Security was not accepting anything from the Petitioner.


STATEMENT OF THE FACTS, cont. (5)

16. Upon leaving the Hamtramck Office, Petitioner again stopped to talk to several other S.S.I. recipients who had been falsely detained and imprisoned at the federal building. They each stated that they too had been denied the right to any appeal and review of the termination of their benefits.
17. After his arrest, Petitioner, as well as all the other S.S.I. recipients then received a letter stating ineligibility to receive the Social Security stimulus checks, BASED ON THE UNCONTESTED, UNCHALLENGED, LIES OF TRI-COUNTY FUGITIVE TASK FORCE.
18. Only after the Social Security stimulus checks had been distributed was Petitioner allowed to return to "active" status as a S.S.I. recipient.
19. Then in December, 2011, Petitioner received a letter from Social Security penalizing Petitioner \$38,000 dollars. On December 30, 2011, Petitioner went to the Highland Park Social Security office and presented the letter. The representative stated the \$38,000 was because I was a wanted felon from 2003 to 2008. Petitioner stated that he never was and had never been a wanted felon, and that he tried to offer proof, he tried to complain, to request a review, and was denied. As were all the S.S.I. recipients who were unlawfully detained and imprisoned.

STATEMENT OF THE FACTS, cont. (6)

20. The representative then stood up and said she had to talk to her supervisor. I requested an appeal. The representative did not take my request for an appeal, and did not provide an appeal form. Instead Petitioner was presented with an unusually large "audit" package.
21. Petitioner was told to wait to speak with another representative, who simply asked Petitioner his age and said Petitioner's social security benefits were denied. Petitioner asked what any of this had to do with being unlawfully penalized \$38,000, and that I was on S.S.I. The representative kept stating in an irritated manner that "this is just a technical denial." She did not explain why she wanted to give me a "technical" denial for social security benefits.
22. Therefore, based on the facts stated herein, this Petitioner again request an appeal and review by an administrative tribunal, whereby he can present his own proof, and confront his accusers, as guaranteed this Petitioner under the U.S.Constitution.

Respectfully Submitted,


Calvin Murry SSN #409-80-9503
9918 Ker cheval
Detroit, MI 48214

Dated: January 1, 2012

SOCIAL SECURITY ADMINISTRATION

Form Approved
OMB No. 0960-0037

Request For Waiver Of Overpayment Recovery Or Change In Repayment Rate

We will use your answers on this form to decide if we can waive collection of the overpayment or change the rate of repayment back each month. If we can't waive collection, we will have to decide how you should repay the money.

Please answer the questions on this form. We will help you fill out the form if you want. If you are filling out this form for someone else, answer the questions for that person.

If you are asking for a waiver, you must fill out the enclosed form. Thanks.

FOR SSA USE ONLY

ROAR Input ☐ Yes
☐ No

Input Date

Waiver ☐ Approval
☐ Denial

SSI ☐ Yes ☐ No

AMT OF OP \$

PERIOD (DATES) OF OP

1. A. Name of person on whose record the overpayment occurred: _____

409 — 80 — 9503

- C. Name of overpaid person(s) making this request and his/her Social Security Number(s):

□□□ — □□ — □□□□
□□□ — □□ — □□□□
□□□ — □□ — □□□□
□□□ — □□ — □□□□

2. Check any of the following that apply. (Also, fill in the dollar amount in B, C, or D.)

- A. ☐ The overpayment was not my fault and I cannot afford to pay the money back and/or it is unfair for some other reasons.
- B. ☐ I cannot afford to use all of my monthly benefit to pay back the overpayment. However I can afford to have \$ _____ withheld each month.
- C. ☐ I am no longer receiving Supplement Security Income (SSI) payments. I want to pay back \$ _____ each month instead of paying all of the money at once.
- D. ☐ I am receiving SSI payments. I want to pay back \$ _____ each month instead of paying 10% of my total income.